

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER FISHER-Z-PCT-US
INTERNATIONAL APPLICATION NO. PCT/AU2004/001330		U.S. APPLICATION NO. (IF KNOWN) SEE 37 CFR 1.5) 807374255
INTERNATIONAL FILING DATE 28 September 2004 (28.09.2004)	PRIORITY DATE CLAIMED 01 October 2003	
TITLE OF INVENTION: MANUFACTURE OF CHOCOLATE PRODUCTS		
APPLICANT(S) FOR DO/EO/US: Nathaniel Gordon Lucas, John Wesley Taylor		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). <p>Items 11. to 20. below concern document(s) or information included:</p> <ol style="list-style-type: none"> 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with pct rule 13ter.2 and 37 CFR 1.821-1.825. 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the International application under 35 U.S.C. 154(d)(4). 20. <input type="checkbox"/> Other items or information: 		

SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

10/5/255 2006

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.5) 10/5/255		INTERNATIONAL APPLICATION NO. PCT/AU2004/001330		ATTORNEY'S DOCKET NUMBER FISHER-Z-PCT-US	
The following fees are submitted:				CALCULATIONS	PTO use only
21. <input checked="" type="checkbox"/> Basic national fee\$300.00				\$300.00	
22. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) \$100.00 All other situations \$200.00				\$200.00	
23. <input checked="" type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority\$100.00 International Search Report prepared and provided to the Office.....\$400.00 All other situations\$500.00				\$500.00	
TOTAL OF 21, 22 and 23 =				\$1,000.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.				\$	
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
43 -100 =	0/50 =		x \$250.00	\$0.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total Claims 20	20-20=	0	X \$ 50.00	\$ 0.00	
Independent Claims 2	2-3=	0	X \$200.00	\$0.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable) + \$360.00				\$	
TOTAL OF ABOVE CALCULATION =				\$1,000.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.				\$500.00	
SUBTOTAL =				\$500.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$ 500.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$	
TOTAL FEES ENCLOSED =				\$500.00	
Amount to be refunded:					\$
Amount to be charged:					\$
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$500.00 to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit No. 08-3150. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>					
<p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</p>					
SEND ALL CORRESPONDENCE TO:			<p style="text-align: right;">x <u><i>Daniel J. Hudak, Jr.</i></u> SIGNATURE</p> <p style="text-align: right;">_____ Daniel J. Hudak, Jr. NAME</p> <p style="text-align: right;">_____ 47,669 REGISTRATION NUMBER</p>		
<p>Daniel J. Hudak, Jr. Hudak Shunk & Farine Co. LPA 2020 Front Street, Suite 307 Cuyahoga Falls, Ohio 44221 Tel: (330) 535-2220 Fax: (330) 535-1435</p>					

10/574255

RECEIVED MAR 30 2006

**CERTIFICATE UNDER 37 C.F.R. §1.10 OF MAILING
BY "EXPRESS MAIL"**

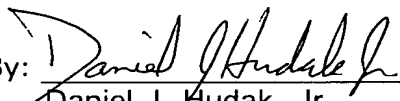
Applicant: Nathaniel Gordon Lucas, et al.
International Application No.: PCT/AU2004/001330
International Filing Date: 28 September 2004
Title: MANUFACTURE OF CHOCOLATE PRODUCTS
Agent's Reference No.: FISHER-Z-PCT-US
Date: March 30, 2006

EXPRESS MAIL RECEIPT NO.: EV 729416202 US

DATE OF DEPOSIT: March 30, 2006

The undersigned hereby certifies that the attached papers were deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

HUDAK, SHUNK & FARINE CO. LPA

By: 
Daniel J. Hudak, Jr.
Agent for Applicant

DJHjr/lb

Enclosures: Express Mail Certification
Return postcard
Transmittal Letter to U.S. Designated/Elected Office (DO/EO/US)
Concerning a filing under 35 USC §371 (in duplicate)
Filing Fee by check of \$500.00
Unexecuted Declaration for Utility or Design Patent Application
Copy of International Application Published under the PCT
WO 2005/029971 A1 (45 pages including 17 pages of drawings)
with copy of International Search Report – 2 pages
Copy of PCT Request – 5 pages
Copy of International Preliminary Report on Patentability – 6 pages
Preliminary Amendment
Information Disclosure Statement, Form PTO-1449 and 3 refs.
Copy of form PCT/IB/308